

Panaji, 27th August, 1987 (Bhadra 5, 1909.

SERIES I No. 22

OFFICIAL GAZETTE

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GOVERNMENT OF GOA

GOVERNMENT OF GOA

Public Health Department

Notification

61/2/79-PHD

In exercise of the powers conferred by section 96 of Goa, Daman and Diu Public Health Act, 1985 (Act 25 of 1985) and all other powers enabling it in that behalf, the Government of Goa hereby makes the following rules, namely:—

1. *Short title, extent and commencement.*— (1) These rules may be called Goa Public Health Rules, 1987.

(2) They extend to the whole of the State of Goa.

(3) They shall come into force at once.

2. *Definitions.*— In these rules, unless the context otherwise requires, —

(a) "Act" means the Goa, Daman and Diu Public Health Act, 1985 (Act 25 of 1985);

(b) "Baking" includes bake house where the flour is prepared for human consumption;

(c) "Coffee House" means a place where drinks are prepared out of coffee powder;

(d) "Sanitary Authority" means Health Officer/Medical Officer i/c Primary Health Centres/Urban Health Centre, Chief Medical Officer, Dy. Directors of Health Services and the Director of Health Services;

(e) "Section" means section of the Act;

(f) "Tea Shop" means a place where the drinks are prepared out of tea powder.

3. *Powers to be exercised by Director.*— The Director shall be responsible for the proper functioning of the local authorities under the Act and shall have the powers:—

(i) Supervise and direct the Health Officers, Medical Officers and local authorities in the matter of prophylactic, preventive care and treatment of the persons suffering from infectious diseases and in the matter of immunization, disinfection and disinsectization of public places.

(ii) Give necessary guidance to the local authorities and their Health Officers in the imple-

mentation of the Act and direct them to get the work of sanitation carried out on priority basis.

4. *Appointment of Health Officers.*— The Health Officer to be appointed under section 8 of the Act shall possess the qualifications laid down for the appointment to the posts of Medical Officers or Health Officers of the Primary Health Centre.

5. *Injurious refuse not to be discharged into public drain.*— (1) All solid wastes, like mud, sand, gravel metal dust, cereals or any other similar substances or refuses which may cause blockage of free flow of water from the public drain shall be disposed off far away from any public drain after the same are properly arranged or treated so as to avoid a nuisance to the public.

(2) All liquid wastes like corrosive liquid, acids or alkaline, poisonous substances, or any other products or substances which may be dangerous, toxic or offensive to the health or which causes or likely to cause nuisance shall be treated, neutralised by proper substances to the satisfaction of the Health Officer before it is discharged into the public drain.

(3) The substances specified under sub-rule (2) shall be discharged only after obtaining No Objection Certificate from the Sanitary Authority.

6. *Pollution of water prohibited.*— (1) Polluting substances like solid or liquid sewage, poisonous, noxious or polluting liquid discharge from any or during any manufacturing process or of any other source shall not be discharged into water course, lake, tank, river, sea-water unless the same are properly treated to the satisfaction of the Sanitary Authority.

(2) The substances mentioned in sub-rule (1) above shall be discharged only after obtaining No Objection Certificate from the Sanitary Authority.

7. *Latrines.*— All unsanitary type of latrine, shall be altered or repaired suitably to fit with the standard of sanitary type latrine adopting any system such as RCA, Sofa Sandas, Bore-well or dug well latrine as advised by the Health Officer according to suitability of place and financial position of the owner.

(a) The Health Officer shall notify the owner or occupier of the premises to alter or repair such unsanitary type of latrine within a specific period of time.

(b) If the owner or occupier neglects the notice of the Health Officer issued under clause (a), the Health Officer shall refer the matter to the Local Authority who shall construct the same and recover the cost from such person as if it were a tax due to the Local Authority.

8. *Cases suspected to be of notified diseases to be brought to the notice of Sanitary Authority.*— (1) All cases suspected to be of notified diseases shall be brought to the notice of the sanitary authority. The communication shall be made as soon as such case comes to the knowledge of the medical practitioner or any doctor who treats the patient or the head of the family of the patient or by patient himself or by the owner of the premises where the patient is residing.

(2) No person shall refuse the blood examination requested by the sanitary authority for detection of parasite, virus, bacteria or any other infective organism which the sanitary authority thinks necessary. When the sanitary authority thinks that the collection of blood is to be done at night time, it may communicate through its agent to the head of the family or the patient its intention to do so in advance during the day time.

(3) No person shall refuse any investigations demanded by the sanitary authority for the diagnosis of the disease.

(4) Whenever the result of the examination is found to be positive, the patient shall be placed under treatment and other prophylactic measures shall be prescribed by sanitary authority.

(5) No patient under treatment shall change his residence even temporarily or pass the night outside the residence without written permission of the sanitary authority.

(6) The treatment and investigation as well as prophylaxis prescribed under sub-rules (2) and (3) shall be free of charge.

(7) The treatment, laboratory investigation or prophylaxis shall not be refused by any person and the sanitary authority shall enforce compulsion of the same with the help of police or District Magistrate and without prejudice to penal action prescribed under these rules.

9. *Tenements.*— (1) A tenement shall be considered habitable if minimum one living room, kitchen, bathroom, sanitary type of latrine and safe drinking water is provided with sufficient number of windows and is maintained in hygienic condition to the satisfaction of the sanitary authority.

(2) The volume of a tenement shall be in proportion of 20 cubic mts. per head whereas the height of the roof shall not be less than 3.0 mts. and if it is over 4 mts. the height shall be considered as 4 mts. only. When the number of inhabitants are more in relation to available space, the tenement shall be considered as over crowded.

10. *Minimum requirement to run hair cutting saloon.*— The following are the minimum requirements to run hair cutting saloon:—

(1) The plinth area shall be proportionate to the number of seats in the ratio of 60 cms per seat and the distance in between shall not be less than 1 mt.

(2) There shall be sufficient number of clean towels, white aprons for customers and white gowns for barbers.

(3) There shall be a stove, vessels for sterilizing the razor, scissors and other instruments used in cutting and shavings.

(4) There shall be one or more disinfectants like lysol, 20 per thousand solution of aluminium sulphate, spirit or detol, etc.

(5) There shall be porcelain or glass containers for immersing instruments in disinfectant solutions.

(6) There shall be one wash basin with tap with running water for washing the utensils used in shaving and cutting.

(7) There shall be proper arrangements for disposal of waste water.

(8) It is compulsory to change the white apron for every person and the same shall not be re-used for any other person unless it is washed in the laundry.

(9) All instruments shall be washed and cleaned and then kept immersed in disinfectant for 15 minutes before using for other person.

(10) Every worker employed in the hair cutting saloon shall possess a valid health card issued by the local sanitary authority. The sanitary card shall be in the form No. 1 attached to these rules and shall be renewed every year.

11. *Conditions required to function a laundry.*—

(a) There shall be a separate room or closed container to keep the soiled linen and one or more cupboards for clean ironed linen.

(b) The washing place shall be away from the city area and shall be at a distance not less than 25 metres from any drinking water, well or source.

(c) In case mechanical equipment is used for washing and drying the linen, there shall be a separate room and necessary arrangements to drain out dirty water by giving connection to the public drain to avoid any collection of water.

(d) Every worker employed in the laundry shall possess valid sanitary card issued by the local sanitary authority and shall be renewed every year.

12. *Conditions for running a bakery/bake house.*—

(a) There shall be minimum 3 rooms.

(b) There shall be no water closet or privy within the premises.

(c) There shall be one water tap solely for the purpose of mixing the flour and others for washing the hands.

(d) No open drain or cess pool shall be within 25 metres of the bakery/bake house.

(e) The floor, wall, and ceiling shall be finished to a hard smooth surface impervious to moisture.

(f) The bakery or bake house shall be maintained clean.

(g) The baking shall be carried out at the detached building and not inside the dwelling house or chawl.

(h) The room in which baking is carried out shall be airy, well lighted, well ventilated and the windows and doors shall be protected with the mosquito wire net.

(i) The furnace shall be provided with outlet pipe for smoke so as not to cause nuisance to the neighbours.

(j) There shall be separate room for storage of flour.

(k) All the troughs and kneading tables shall be thoroughly cleaned with hot water or soap immediately after and before use and shall at all the times be kept in clean condition.

(l) Articles of food after being baked shall be stored in a closed container so as to protect them from contamination by flies or infection from impure air, offensive noxious or detestable gas or substance.

(m) No person shall sleep in any part of the bake house or bakery, sit or recline on any table or structure in the bakery or bake house which is used for preparation of flour for baking.

(n) Every person employed in the bakery or bake house shall wash his hands with soap and water before handling any article of food which is prepared for human consumption.

(o) Every person employed in the bakery or bake house shall at all times be dressed with clean clothes and use cap so as to cover the hair and shall not smoke while at work.

(p) No person shall be employed in the bakery or bake house unless he is examined by the sanitary authority and carries a valid card.

(q) The bread exposed for sale shall be covered with white paper so as to prevent from contamination by flies, insects or hands.

(r) No animal of any kind shall be kept within the premises of the bakery or bake house.

13. Conditions for running a lodging house.—(a) There shall be an independent room with one or more beds well lighted and with good ventilation with a space not less than 25 cubic mts. per head with a height of room not less than 3.0 mts. and if it is more than 4 mts. it shall be considered 4 mts. for the purpose of assessment.

(b) There shall be separate sleeping accommodation for residential staff and servants.

(c) Every room shall be provided with wash basin and running tap water.

(d) There shall be separate sleeping space for servants, if any, of the visitors.

(e) The premises shall be maintained clean in all respects.

(f) There shall be water closet with glazed tiles covering the floor and the wall upto the height of 1.5 mts. and effluent of W. C. shall be connected to septic tank or public sewage.

(g) There shall be bathrooms for the use of visitors; not less than one for every 25 visitors or less with glazed tiles covering the floor and walls upto the height of 1.5 mts. with showers.

(h) There shall be provision for pure wholesome drinking water.

(i) Rooms shall be well painted and maintained clean and shall be white washed at least once a year and there shall be sufficient number of pillow-covers, bedsheets, mattresses, pillows, rugs so as to provide clean and comfortable bedding to the visitors.

(j) The linen shall be replaced at least once a week or as and when soiled. In case any visitor is suffering or suspected to be suffering from any contagious disease, he shall be referred to sanitary authority for advice and the owner shall comply with any suggestions made by the sanitary authority.

(k) The workers shall carry a valid sanitary card issued by the sanitary authority.

14. Conditions to run coffee house, tea shop, taverna, bars, wine shop, liquor shops, cold drink house, juice sellers and other establishment serving drinks for public excluding those who sell intact tins or bottles for public.—(a) There shall be minimum one or more rooms according to the nature of the establishment and movement of the public.

(b) The size of the rooms shall be sufficient for sitting of the public and preparation of drinks, if cooking is done there shall be a separate room for such purposes and with sufficient wash basins and smokeless environment. The washing rooms for utensils shall be away from preparation place.

(c) The utensils shall be washed every time after use with running water and soap and after washing the same shall be immersed in boiled water before they are kept ready for use.

(d) There shall be filters to provide potable water.

(e) The potable water used for preparation of food or drink shall be stored in closed clean container.

(f) There shall be arrangements for disposal of waste water so as to avoid stagnation.

(g) There shall be tables with top covered by marble, glass or sunmica or any other material easily washable.

(h) There shall be toilets in sufficient number independent for male and female. The condition can be waived if the market complex is provided with toilet block or there are any public toilets within the distance of 50 mts.

(i) The entire premises shall be kept clean and workers shall wear clean clothes or dress during the work.

(j) The workers shall hold valid sanitary cards issued by the sanitary authority.

15. Conditions to run restaurant, eating houses, boarding, etc.—(a) There shall be minimum of 3 rooms of sufficient capacity being one for public service and other for preparation of food where they shall use smokeless stoves or chulas.

(b) There shall be sufficient number of water taps for washing the utensils and clean potable water in closed containers for preparation of food.

(c) There shall be sufficient number of utensils for boiling the water.

(d) There shall be sufficient number of filters.

(e) There shall be tap water or running water or running water for washing the crockery and utensils.

(f) There shall be proper arrangements for disposal of waste water in order to avoid collection.

(g) There shall be tables with top covered with material easily washable like marble stone, sumnica or any other similar material.

(h) There shall be independent one or more toilets block for male and female apart from the 3 rooms mentioned in sub-rule (a) of rule 15. This condition may be relaxed if the connected block have arrangements for public toilet within the radius of 50 mts. from the establishment.

(i) The cutlery shall be washed with soap and running water and there after passed through boiling water everytime after it is used by the customer.

(j) The garbage and waste products shall not be thrown indiscriminately but shall be collected in proper closed containers which shall be discharged in the Municipal garbage collection pit. The entire premises of the establishment shall be maintained clean, free from flies, insects and shall observe recommendation done by the sanitary authority or public sanitary inspector during their inspection.

16. Penalty. — Whoever commits (a) breach of the provisions of rule 8 shall, on conviction by a Magistrate, be punishable, with a fine, which may extend to Rs. 100/- or with imprisonment which may extend to 3 months or with fine or with both.

(b) A breach of any other provision of the rules shall on conviction by a Magistrate, be punishable with fine, which may extend to Rs. 2000/- and in the case of a continuing breach, after conviction of the first breach, with a fine which may extend to Rs. 30/- per day.

(c) A breach of direction given shall be punished with a fine which may extend to Rs. 20/- for every day during which the breach continues after receipt of notice from the local authority or the Health Officer as the case may be, to discontinue such breach.

17. Compounding of offences. — (1) Subject to the condition, if any, as may be prescribed, the local authority or the Health Officer may accept from any person alleged to have committed offence under the Act or under the rules made thereunder, other than the offence under rule 8 or bye-laws either before or after the commencement of any proceedings against such person in respect of such offence by way of composition for such offence, a sum not exceeding Rs. 2000/-.

(2) The local authority or the Health Officer as the case may be, shall if there is no reason to the contrary make an Order in writing specifying therein —

(i) the sum determined by way of composition;

(ii) the date on or before which the sum shall be paid;

(iii) the Authority before whom and the date on or before which a receipted challan shall be produced in proof of such payment; and

(iv) the date on or before which the person should report the fact to the local authority or the Health Officer as the case may be.

(3) The local authority or the Health Officer as the case may be, shall send a copy of such Order to the person concerned and also the Authority referred to in sub-clause (iii) of sub-rule (2).

(4) After compounding any offence under the Act, and the rules, if the person repeats the same offence again, he shall be liable to fine double the amount payable earlier and for continuance of the same offence Rs. 30/- shall be recovered every day as long as the breach continues.

18. Fine to be imposed by sanitary authority. — Whenever any offence is punishable with fine, it shall be imposed by the local authority/or Health Officer or any other authority authorised by the Government to investigate the case and it shall record the offences in a panchanama containing the name of the offender, time and date of offence, rule which is breached and all other particulars relevant to the offence in presence of 2 witnesses and obtain signature of the offender and witnesses and thereafter the officer investigating the case shall sign the same and submit it to the local authority or Health Officer having jurisdiction for imposing penalty. Refusal of signing the panchanama by the person committing the breach shall not vitiate the proceeding provided this fact is recorded in the panchanama by the investigating officer in the presence of two witnesses whose signatures are recorded thereon.

19. Case to be referred to Magistrate. — When the offence is punishable by fine combined with imprisonment or one convertible by another, then the case shall be referred to a Magistrate having jurisdiction over the area.

20. Closing down of establishment or dwelling house. — The closing down of any establishment or dwelling house shall be done through District Magistrate who shall give the establishment all reasonable opportunities and furnish guidelines before closing down the same.

21. Compounding of offences. — The local authority or the Health Officer may compound any offence under the Act or these rules.

22. Recovery of fine to constitute receipt of Directorate of Health Services. — The amount recovered as fine shall constitute the receipt for the Directorate of Health Services and shall be credited to the appropriate head of Account.

23. Cognisance of offence. — No cognisance of offence shall be taken by the Magistrate unless the case is filed by the sanitary authority or local authority.

24. Repeal and Saving. — (1) Portaria 7012 dated 17-9-1957 and Diploma Legislative 1701 dated 11-4-1957 are hereby repealed:

Provided that the repeal shall not affect —

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed in so far as it is consistent with the provisions of these rules; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed;

(d) any investigation, proceeding, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, proceeding, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as these rules had not been framed.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Industries and Labour Department

Notification

28/12/87-ILD

In exercise of the powers conferred by sub-section (1) of section 40 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), and in supersession of the Government Notification of even number dated 28-7-1987, the Government of Goa hereby adds the following item to the First Schedule to the said Act, namely:—

“Service/Employment in Manufacture of Cement Pipes and Articles”.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Industries and Labour).

Panaji, 12th August, 1987.

Finance (Revenue & Control) Department

Notification

5/2/85-Fin(R & C)

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Sales Tax Rules, 1964, is hereby prepublished as required by sub-section (1) of section 36 of the Goa, Daman and Diu Sales Tax Act, 1964 (Act 4 of 1964), for general information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Government on the expiry of thirty days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Government of Goa, Finance Department, Secretariat, Panaji before the expiry of thirty days from the date of publication of this Notification in the Official Gazette so that they may be taken into

consideration at the time of finalisation of the proposed amendment.

DRAFT AMENDMENT

In exercise of the powers conferred by section 36 of the Goa, Daman and Diu Sales Tax Act, 1964 (Act 4 of 1964), and all other powers enabling it in that behalf, the Government of Goa, hereby makes the following rules so as to further amend the Goa, Daman and Diu Sales Tax Rules, 1964, namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Goa, Daman and Diu Sales Tax (Amendment) Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of rule 15.*—In clause (e) of sub-rule (4) of rule 15 of the Goa, Daman and Diu Sales Tax Rules, 1964, after the expression “members of the Armed Forces of the Indian Union” and before the expression “Stationed in this Territory” the expression “including civilian personnel of the Armed Forces paid from Defence Estimates” shall be added.

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Finance Exp.).

Panaji, 11th August, 1987.

Law Department

Establishment Branch

Office of the Chief Electoral Officer, Goa

Notification

8-1-87/ELEC

The following Notification No. 56/84-XXIV dated 29/7/1987 issued by the Election Commission of India, New Delhi is hereby published for general information.

M. Raghubhandar, Addl. Chief Electoral Officer.

Panaji, 17th August, 1987.

Election Commission of India

New Delhi, Dated the 29th July 1987

Notification

S.O.—Whereas the Election Commission of India has considered the application of “Mizo National Union” for registration of that association under paragraph 3 of the Election Symbols (Reservation and Allotment) Order, 1968, as a political party, and the documents produced in support of the prayer continued in the said application and has decided to register that association under the name and style of “Mizo National Union” as an unrecognised political party in respect of the State of Mizoram

under the provisions of paragraph 3 of the said Symbols Order, subject to the following conditions:—

(i) The party shall communicate to the Commission without delay, an change in its name, Head office, Office bearers and their address, political principles, policies, aims and objectives and any change in any other material matters;

(ii) The party shall intimate the Commission immediately whenever any amendments are issued to party constitution alongwith the relevant documents like the notice for the meeting, minutes of the meeting where the amendments have been carried;

(iii) The party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc., properly;

(iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and

(v) The registration granted shall be reviewed by the Commission from time to time.

Now, therefore, in pursuance of the provisions contained in clause (c) of sub-paragraph (1) and sub-paragraph (2) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission of India hereby makes the following amendments in its Notification No. 56/84-I, dated the 13th November, 1984 published in the Gazette of India, Extraordinary, Part-II, Section 3(iii), dated the 16th November, 1984 and as amended from time to time, namely:—

In Table 3 appended to the said Notification under column 1 and 2, after the entry '17. Bohujan Samaj Party ... 1. Madhya Pradesh, 2. Uttar Pradesh 3. Dadra and Nagar Haveli' the entry "18 - Mizo National Union ... Mizoram" shall be added.

[No. 56-84-XXXV]

By order

Sd/-

(R. P. BHALLA)

Secretary